

FILED
GREAT FALLS DIV.
*06 NOV 22 AM 9 58
PATRICK L. J. J., CLERK
BY _____
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION

CARLOS 'A-LAIL MUHAMMAD
aka CARLOS MARQUETT ELLERBE,

Petitioner,

vs.

WARDEN MIKE MAHONEY,

Respondent.

No. CV 05-124-GF-SEH

ORDER

On October 4, 2006, United States Magistrate Judge Carolyn S. Ostby entered Findings and Recommendation in this matter. Plaintiff did not file objections. No review is required of proposed findings and recommendations to which no objection is made. Thomas v. Arn, 474 U.S. 140, 149-152 (1986). However, this Court will review Judge Ostby's Findings and Recommendation for clear error.

Upon *de novo* review of the record, I find no clear error in Judge Ostby's Findings and Recommendation and adopt them in full.

ORDERED:

The Petition for Writ of Habeas Corpus is DISMISSED WITH PREJUDICE. The Certificate of Appealability is DENIED.

DATED this 21st day of November, 2006.


SAM E. HADDON
United States District Judge